



Entered on Docket
June 09, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725-lbr
Chapter 11

**ORDER GRANTING MOTION FOR
ORDER AUTHORIZING THE
RETURN TO INVESTORS OF
CERTAIN ESCROWED FUNDS
INTENDED FOR THE BUNDY
CANYON PROJECT**

Hearing Date: May 18, 2006
Hearing Time: 9:30 a.m.

SCHWARTZER & MCPHERSON LAW FIRM

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1 The Motion For Order Authorizing The Return To Investors Of Certain Escrowed Funds
2 Intended For The Bundy Canyon Project having come before this Court on May 18, 2006 at 9:30
3 a.m.; USA Commercial Mortgage Company ("USACM") appearing by and through its counsel,
4 Lenard E. Schwartzer of Schwartzer & McPherson Law Firm and Annette Jarvis of Ray Quinney
5 & Nebeker P.C.; other appearances having been made upon the record; the Court having reviewed
6 the pleadings and having heard the argument of the parties, and finding that proper notice having
7 been given, it is hereby

8 ORDERED that the Motion For Order Authorizing The Return To Investors Of Certain
9 Escrowed Funds Intended For The Bundy Canyon Project ("Motion") is granted, and

10 ORDERED that the Orange Coast Title Company (the "Title Company") is ordered to
11 release the \$8.9 million held in the Escrow Account to USACM, and USACM shall promptly
12 return the \$8.9 million to the 117 Investors and in the amounts set forth on Exhibit A to the
13 Motion.

14 Submitted by:

15 Annette W. Jarvis, Utah Bar No. 1649
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17 36 South State Street, Suite 1400
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19 Salt Lake City, Utah 84145-0385

20 and

21 /s/ Jeanette E. McPherson

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2 **INVESTORS OF CERTAIN ESCROWED FUNDS INTENDED FOR THE BUNDY**
3 **CANYON PROJECT**

4 Approved/Disapproved by:

Approved/Disapproved by:

5
6 Jeffrey H. Davidson (CA State Bar No. 73980)
7 Frank A. Merola (CA State Bar No. 136934)
8 Christine M. Pajak (CA State Bar No. 217173)
9 STUTMAN, TREISTER & GLATT, P.C.
10 1901 Avenue of the Stars, 12th Floor
11 Los Angeles, CA 90067

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300 Las Vegas Boulevard South, Suite 4300
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12 Counsel for the Official Committee of Equity
13 Security Holders of USA Capital First Trust
14 Deed Fund, LLC

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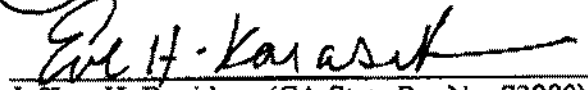
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2 INVESTORS OF CERTAIN ESCROWED FUNDS INTENDED FOR THE BUNDY
3 CANYON PROJECT

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